

# **LINCOLN PLANNING BOARD**

**June 17, 2015**

## **APPROVED**

**The regular meeting of the Planning Board was held June 17, 2015. This meeting was at the Lincoln Town Hall, 100 Old River Road.**

**Chairman Bostic called the meeting to order at 7:10p.m. The following members were present:**

**Gerald Olean, William Murphy, John Hunt, Jeffrey Almond, Michael Reilly, Kenneth Bostic.**

**Also in attendance were Town Planner Al Ranaldi, Town Engineer Leslie Quish, and Town Solicitor Anthony DeSisto.**

## **CONSENT AGENDA**

**Chairman Bostic reminded members that the consent agenda can take all the applications as one or if any member of the Planning Board or applicant would like to remove an item they can do so. The consent agenda is normally voted on in total unless a member motions to remove an item,**

**Motion was made by Member Olean, seconded by Member Reilly to accept the consent agenda as presented. Motion was approved by all members present.**

## **Major Land Development Review**

### **a. Shell Station Rebuild AP43 Lot 78 Preliminary Plan – Public Hearing–7:00 PM**

**- Colbea Enterprises LLC 1783 Old Louisquisset Pike Discussion / Approval**

**This application is under the 2005 Subdivision Regulations and represents the complete redevelopment of an existing gas station and is classified as a major land development review. On May 19, 2015, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the preliminary plan review must be made by September 15, 2015, or within such further time as may be consented to by the applicant. The project is in front of the Planning Board for a Public Hearing.**

**Town Planner Al Ranaldi does a short presentation for Shell Station Rebuild based on the Technical Review Committee report, see attached.**

**Mr. Ranaldi concluded by stating the following:**

**Barring any unforeseen concerns brought out at the Public Hearing and based on the project's submission, the Technical Review Committee feels that the applicant has successfully addressed the engineering challenges of this project and the requirements of a Preliminary Land Development review. The TRC recommends Preliminary Plan Approval with Conditions. The TRC recommends that Final Plan approval be delegated to the Administrative Officer. Below are the conditions of approval.**

- 1. The applicant receives a Physical Alteration Permit from RIDOT,**
- 2. Approval from RIDEM's Underground Storage Tank (UST) program and Water Resources Department,**
  - 1. The property owner shall be responsible for maintaining and cleaning the sanitary service within the public right of way.**
  - 2. The water service and gasoline pipe crossing must be approved by the Lincoln Water Commission. The Lincoln Water Commission stated this is acceptable.**
- 3. The water main and sewer service crossings in public intersection must be approved by the Lincoln Water Commission.**

**Tim Chapman: I am the Attorney for the applicant. First of all would like to thank the staff, they have been very, very cooperative in assisting us in our engineering and moving this forward. We do agree with the conditions that are listed and outlined by the Planning Director and included in the June 12, 2015 TRC letter. And we would request tonight approval of the plan and that it be delegated to the**

**Administrative Officer.** If you have any questions I have the Engineer here and also the Director of Operations for Colbea.

**Chairman Bostic:** One of the questions that Member Olean had asked about was the structural integrity of the canopy. Has this been addressed? And one of residents who could not be here tonight had asked me about the new station; will the flow of diesel fuel be improved because the pumps are really awfully slow right now.

**Tim Chapman:** Yes

**Motion made by Member Olean to open the Public Hearing, seconded by Member Almond. Motion was approved by all members present.**

**The Planning Board Secretary read the Abutters List. Meeting opened to public for comment.**

**Matt Berg:** I am directly across the street from this property at 1785 Old Louisquisset Pike. My question is not around water or sewerage but the extra services the station is going to bring to the community and amount of extra traffic it is going to bring to that intersection. It is a very busy intersection. We have a lot of problems. I can't tell you how many bumpers I have pulled off my front yard. There is one accident a week at that intersection and my concern is what are you going to do as we bring more traffic into that intersection. They are bringing more services into the facility to make more money

obviously.

**Tim Chapman:** My Client has taking into consideration the level of traffic and the existing configuration of the intersection. The proposed site design has moved the sign out of an interior travel path to increase the circulation within the site. They improved the exit and entrance points and even propose to take out an extra parking space so there will be more visual ability to see up and down the road. Services will stay the same as what we currently have. Unfortunately it is a busy stretch of highway and it's not all for our gas station. We would love if it was for our gas station but there are a lot of other things up and down that road. So we will continue to be diligent while taking care of our property and making sure that if there are any issues that come up that we will address them.

**Angelo Ruo - Vice President of Operations.** We do not have any contract with any coffee company right now. Not to say that down the road there wouldn't be one but as of right we do not have an interest. We will probably be doing our own coffee to start off with and we will see what happens from there. As of right now we have no interest.

**Motion made by Member Olean to close the Public Hearing, seconded by Member Almond. Motion approved by all members present.**

**Motion by Member Olean, seconded by Member Almond to accept the TRC recommendation for Preliminary Plan approval with conditions.**

**Motion approved by all members present.**

**Motion by Member Olean that TRC recommend Final Plan approval be designated to the Administrative Officer, second by Member Almond.**

**Motion approved by all members present.**

### **Major Subdivision Review**

**a. Highridge Subdivision AP 31 Lot 20 Preliminary Plan Discussion  
- Highridge Corporation 192 Old River Road / Approval**

**Town Planner Al Ranaldi does a short presentation for Highridge Subdivision based on the Technical Review Committee report, see attached.**

**This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into three lots. The existing lot is proposed to remain as a recreational use. The two proposed lots will be developed as single family homes. The project was elevated from a minor subdivision to a major subdivision due to the need for zoning relief on the original lot. A use variance was granted in 1958 for the recreational use of the property. The subdivision of two lots from the original lot represents an intensification of that recreational use granted in 1958.**

**On June 10, 2015, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness**

or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the preliminary plan review must be made by October 8, 2015, or within such further time as may be consented to by the applicant.

Mr. Ranaldi concluded by stating the following:

The concerns presented above are minor in nature and can be easily added to the plan set. The Technical Review Committee recommends that the application proceed to a Public Hearing during the July meeting. An updated abutters list is required.

Attorney John Shekarchi for the applicant: Al pretty much summed up what the applicant is proposing and associated design concerns. We did seek zoning relief last month and we were successful and recorded the decision yesterday. Al talked about the stone wall and one of the conditions of the zoning variance was that we try our best not to move the stonewall. The new driveways will require the reconfiguration of the wall. The only change that we ask based on the fact that we have had several prior public hearings and technically under the statute and the ordinance there is no requirement that we have another public hearing. We would like to be heard on the preliminary proceeding and hopefully that would be final.

**Solicitor DeSisto: This is a Planning Board call.**

**Member Olean: Was this brought up to the TRC before they made their recommendations?**

**Attorney Sherkarchi: Yes directly after the last hearing we had asked for it.**

**Member Olean: I don't have any memory of that and all I have in front of me is the TRC Report. The TRC report says "proceed to Public Hearing".**

**Planner Ranaldi: Yes you are right. I was under the impression that a Public Hearing was a requirement. I was corrected tonight by the Town Solicitor. I agree that they have had public notice and they have had a public hearing so another one would be an overkill in my opinion. But I didn't realize that it's not required. So I did not want to step over the board on this.**

**Member Olean: Solicitor do you have any recollection when we did away with a Public Hearing?**

**Solicitor DeSisto: No**

**Member Olean: Does this set precedence for us?**



**Solicitor DeSisto: No it doesn't.**

**Member Reilly: The only concern I have is that when we combine review stages we said that upfront and say that we are going to combine it; the public information hearing and the public hearing all in one. Everyone involved in the project is well aware of that right from the get go. I don't recall any conversations but I just don't know if there are abutters that think they are going to get another shot at public comment again.**

**Planner Ranaldi: I think all the recommendations that the board approved at Master Plan was just at design concept stage. It all came from the Zoning Board. If it did not get passed by the Zoning Board the parties wouldn't be here.**

**Member Reilly: Correct.**

**Planner Ranaldi: So that was the major step in this whole situation. Nothing has changed from the Master Plan to this Plan. I do want to note for the record on the plan, it shows a guardrail at the end of the cul-de-sac saying remove this guardrail.**

**Member Olean: Motion to accept the TRC report and proceed to a Public Hearing at the July meeting. Seconded by Member Reilly. Motion approved by all members present.**

## **Minor Subdivision Review**

### **a. Kelly Street Subdivision AP10 Lot 234 Preliminary Plan Discussion**

**- Doug Vaughan and Oliver Perry Jr. 64 Kelly Street / Approval**

**Town Planner Al Ranaldi does a short presentation for the Kelly Street Subdivision based on the Technical Review Committee report, see attached.**

**This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into two residential house lots. There is an existing house on the original lot which will be razed. There is an existing 20 foot wide sewer easement running perpendicular through the lot from Kelly Street to Cass Street. The applicant is not requesting any subdivision waivers or zoning variances. This project is classified as a minor subdivision. The project is at the preliminary plan review stage.**

**On June 10, 2015, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within sixty-five (65) days of certification of completeness or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the preliminary plan review must be made by August 14, 2015, or within such further time as may be consented to by the applicant.**

**Mr. Ranaldi concluded by stating the following:**

**Based on the project's submission, the Technical Review Committee feels that the application successfully addresses the requirements set out in the Town's Land Development and Subdivision Regulations. Therefore, the Technical review Committee recommends Approval with Conditions of this minor subdivision. The TRC recommends that Final Plan approval be delegated to the Administrative Officer. The conditions of approval are as follows:**

**The following requirements will be needed prior to issuing any building permits:**

- 1. Stormwater management will be required for the new housing units. The design and type of stormwater management systems depends on the size and location of the new houses as well as the location and size of the driveway. Proposed topography will be required at the building permit stage. Each design will be required prior to issuing any building permits.**
- 2. The property owner shall allow the Town to install, at its own expense, a sewer manhole within the proposed pavement in the easement area on Lot 1.**
- 3. The property owner shall allow the Town to install, at its own expense, a water main, connecting Cass Street to Kelly Street, within the easement area on Lot 1.**
- 4. The property owner shall be responsible for replacing the bituminous pavement within the easement area on Lot 1 should the**

**Town need to access the utilities.**

**5. No vehicular access/egress shall be allowed on Cass Street.**

**6. A new sewer service lateral, with a clean out, shall be installed connecting into the sewer in the easement area on Lot 1.**

**7. The existing house must be razed and the above utility approvals shall be completed before final plan approval.**

**Attorney John Sherkarchi for the applicant. Pretty basic as Al mentioned.**

**Engineer Quish: If the Town needs to dig to access the sewer or the water; the Town will backfill for free but the property owner is responsible for the new asphalt gravel patch.**

**Oliver Perry and Engineer Quish discuss the proposed easement and manhole.**

**Chairman Bostic: Leslie can you come up to the mic and explain to the board the change or clarification that you just made so we will know that it's part of what we are going to be voting on. Because it's going to be part of the conditions.**

**Engineer Quish: The main clarification was right now the plan shows the two lots. It is currently one lot and one house. And then the subdividing will create a new lot. The existing house currently connects into the sewer lateral. The new house on the new lot is going to need a new sewer lateral. Right now the plans show them**

connecting out into Kelly Street. He is asking instead to connect into the easement? It is something he will need to show in our revised plan. I don't foresee that being an issue. It will avoid him having to dig in the street which will be better. So that was the clarification.

**Member Olean:** Please repeat condition number five.

**Town Planner Ranaldi:** No vehicular access/egress shall be allowed on Cass Street.

**Member Olean:** That is not a problem correct?

**Town Planner Ranaldi:** Right.

**Member Olean:** Condition number 7.

**Town Planner Ranaldi:** The existing house must be razed and the above utility approvals shall be completed before the final plan approval.

**Member Olean:** Were the proper permits taken out to raze the house?

**Town Planner Ranaldi:** Yes.

**Member Olean:** There is no property there that has already been demolished. Have the proper permits been taken out?

**Oliver Perry:** The proper permits will be taken out before the house is taken down.

**Town Planner Al Ranaldi:** Based on the subdivision regulations it's done in one meeting unless the board feels that another hearing is required. There is no requirement for any Public Hearing or Public Information meeting at this point.

**Member Olean:** If the public has some comments they can come to you and you will address them.

**Town Planner Ranaldi:** Yes. If anyone in the public has some concerns regarding this I can certainly reach out to them.

**Chairman Bostic:** Mr. Shekarchi your Client is comfortable with all of these conditions?

**Attorney Sherkarchi:** Yes.

**Chairman Bostic:** And you are aware that the Town is going to be digging manholes and all that.

**Member Reilly:** Questions #4 as it applies to future property owners?

**Attorney Sherkarchi:** It will be in the land evidence records.

**Member Olean: Motion to accept the TRC report approval with conditions of the minor subdivision. Second by Almond. Motion approved by all members present.**

**Member Olean: Motion if the public has any questions or concerns the final approval is going to the Administrative Officer who has final approval. Second by Almond. Motion approved by all members present.**

### **Item #Land Development and Subdivision Regulations: Discussion**

**Town Planner Ranaldi: We had a workshop at 6:00 today and based on that meeting I will be putting together a document incorporating the items that we talked about and the board will schedule a public hearing at our regular meeting in September, an agenda item where we will review, take public comment and if everyone is comfortable with the changes we would do a subdivision update.**

**Member Olean: Do you have any idea for dates for the public hearing?**

**Town Planner Ranaldi: I know that there is a three week window that we will have to advertise so we would just back into that date. It will probably be at the end of August when the advertisement hits.**

**Member Olean: Do you think that we should write a letter to the**

**Counsel to tell them how we are progressing: like a status report ?**

**Correspondence/Miscellaneous (\*)**

**a. Staff Reports**

**Member Olean:** As you know we have a new member of the Board. When does he term start? Who did he replace? In January there were two appointments that never got appointed. I want to know who is due and when they are due. We have no indication of whose term is up, when it up, or anything else. It is other Town Departments that are not following through for us.

**Chairman Bostic:** AI where do we stand with the sewer application and revising the generator stuff.

**Town Planner Ranaldi:** We are still working on

**Zoning Applications (\*) – July Zoning Applications**

**There are no July Zoning Applications for review.**

**Motion to adjourn by Member Reilly, second by Member Olean.**

**Motion approved by all members present.**

**Respectfully submitted,**

**Albert V. Ranaldi, Jr. AICP**



**Albert V. Ranaldi, Jr. AICP**

**Administrative Officer to the Planning Board**

**November Technical Review Committee Report:**

**November 13, 2015**

**Town of Lincoln – Planning Board**

**100 Old River Road**

**Lincoln, RI 02865**

**Dear Honorable Members,**

**On November 9, 2015 at 3:00 PM, the Technical Review Committee met to review the agenda items for the November 18, 2015 meeting of the Planning Board. In attendance were Al Ranaldi, Peggy Weigner, Michael Reilly, Michael Gamage, Romeo Mendes (LWC) and Michael Gagnon. Below are the Committee's recommendations.**

**Major Land Development Review**

**a. Twin River Casino Hotel AP42 Lot 24 Public Hearing – 7:00 PM**

## **-UTGR, Inc. d/b/a Twin River 100 Twin River Road Preliminary Plan Discussion /**

### **Approval**

**This application is under the 2005 Subdivision Regulations and represents the addition of a hotel to the existing casino complex. On September 15, 2015, this project received a Comprehensive Plan amendment, and a Zoning Ordinance amendment. The Technical Review Committee reviewed the proposed major land development project at the Preliminary Plan review stage.**

**On October 20, 2015, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the preliminary plan review must be made by February 17, 2016, or within such further time as may be consented to by the applicant.**

**The preliminary plan submission included the following:**

- Twin River Casino Hotel, 100 Twin River Road, Lincoln Rhode Island, Sheets 1-32, prepared by Pare Corporation, dated September 29, 2015 (revised and uploaded to Pare Corporation's FTP site on October 9, 2015 and revised on October 23, 2015).**
- Submission Letter regarding Preliminary Plan Review, prepared by Pare Corporation, dated September 20, 2015.**

- **Stormwater Operation and Maintenance Plan Long Term Pollution Prevention Plan, Twin River Casino Hotel, AP 42, Lot 24, 100 Twin River Road, Lincoln Rhode Island, prepared by Pare Corporation and dated October 9, 2015.**
- **Soil Erosion and Sediment Contro Plan , Twin River Casino Hotel, AP 42, Lot 24, 100 Twin River Road, Lincoln Rhode Island, prepared by Pare Corporation and dated October 9, 2015.**
- **Responses to Comments for Preliminary Plan for Twin River Casino Hotel dated October 6, 2015, prepared by Pare Corporation and dated October 9, 2015.**
- **Letter from the Lincoln Water Commission, to Ronald Fraser, Director of Facilities, Twin River Casino, 100 Twin River Road, Lincoln, RI, AP42 Lot 24, dated November 4, 2015.**

### **Site Layout**

**The Technical Review Committee reviewed the project submission at the Preliminary Plan review level. The entire property contains a total of 191.59 acres of land and is bounded by Twin River Road to the north and Louisquisset Pike to the east. The proposed application is to construct a 250-bed, four story 225,980 gross square foot (79,400 square foot footprint) hotel, associated exterior site improvements, parking, loading, emergency access drive, and new stormwater management system. This hotel will be connected to the existing casino and is proposed to be located where the former dog racing track was located. The hotel entrance will be east of the Twin River Casino North Entrance. The existing parking areas will serve as parking for the hotel guests as well as the casino guests. New**

**employee parking is proposed to be located behind the proposed hotel.**

### **Utilities**

**Public sewer and water are currently servicing the property and is available to the hotel. The preliminary plan submission successfully addresses the Town's requirements to tie into the existing public sewer system. Public water already services the property. The Lincoln Water Commission is in discussions with the applicant to connect the hotel to the existing system. A Conditioned Availability Determination was issued on November 4, 2015.**

### **Wetlands/Stormwater Runoff**

**Several wetlands resource systems and a stormwater runoff collection system exist within the site. Stormwater runoff is presently collected by catch basins and conveyed both north and south to an existing detention basin at the northeast side of the existing VIP parking area. Both of the existing wetlands resource systems and stormwater runoff systems will be affected by the development of the proposed hotel. The proposed stormwater management system successfully meets the requirements of the Rhode Island Storm Water Design and Installation Standards Manual. Wetlands approval from the Rhode Island Department of Environmental Management will be required as a condition of preliminary plan approval. The Applicant's Engineer has stated this application was be submitted to RIDEM for their review.**

## **Parking**

**The existing casino complex contains 5,832 parking spaces. Based on the Town's zoning ordinance, the existing casino facility and proposed hotel will require 3,561 parking spaces. Therefore, the existing casino complex has 2,271 parking spaces over what is required by our zoning. Several existing parking areas will be impacted by the proposed hotel development. The plan submission show how the affected parking areas will be relocated within the site.**

## **Traffic**

**An extensive traffic analysis was conducted during the redevelopment of the casino facility in 2005. Several major roadway improvements were installed on Twin River Road and Louisquisset Pike in order to improve and mitigate any anticipated traffic impacts to the surrounding roadway network. The original traffic impact analysis (TIA) for the redevelopment of Twin River was completed by Pare Corporation in 2005.**

**Since the original TIA in 2005, Pare Corporation has conducted or obtained several traffic counts at multiple intersections within the surrounding area. According to a letter provided in this submission and dated July 1, 2015, Pare Corporation has reviewed all of the data it has collected and has concluded that the actual traffic volumes of surrounding roadway network are significantly less than what was projected under the 2005 Twin River TIA. The submitted letter summarizes the difference in the projected future volumes from the**

**2005 TIA and the actual traffic volumes collected post Twin River redevelopment volumes.**

**The submitted traffic assessment is acceptable to the Town and shall be reviewed and approved from the Rhode Island Department of Transportation under the Physical Alternation Permit program. A Physical Alternation Permit from the Rhode Island Department of Transportation will be required as a condition of preliminary plan approval. The Applicant's Engineer has stated this application was submitted to RIDOT for their review.**

### **Site Buffering**

**Extensive vegetative buffering between the complex and the surrounding neighborhoods was a requirement of the project approval in 2005. The submitted project is proposing additional vegetated buffering areas that will complement the existing buffer. According to the project submission letter, the site buffering will be installed in four phases. The submission letter outlines the areas that will be installed as well as the approximate time frame for execution. The Technical Review Committee reviewed the submitted landscaping/buffering plan and finds that this plan successfully addresses the concerns of the Technical Review Committee.**

### **Area of Planning Concern Review and Recommendation**

**An Area of Planning Concern meeting was held on Thursday, November 12, at 3:00 PM. In attendance were Al Ranaldi, Peggy Weigner, Michael Reilly, Michael Gamage, Roger Pierce and Michael Gagnon. The Area of Planning Concern submission included the following:**

- Twin River Casino Hotel, 100 Twin River Road, Lincoln Rhode Island, Sheets L1. L1.1 L1.2, and L1.3, prepared by Pare Corporation and Central Nurseries, Johnston, RI, dated October 16, 2015.**
- Lighting Plan, Twin River Casino – New Addition, prepared by Omnilite, and dated November 10, 2015**

**The proposed landscape/buffering plan and lighting plan was reviewed according to the requirements set out in Article VIII – Overlay Zones, Section 260-44: Area of Planning Concern Overlay District of the Zoning Ordinance. Members of the APC and the two abutters that attended the meeting discussed modifications to the proposed buffer plantings along Louisquisset Pike. The applicant agreed to revise the proposed planting plan to accommodate the abutter's request.**

**The Area of Planning Concern committee determined that the proposed planting and lighting plans successfully meets the requirements set out in Article VIII – Overlay Zones, Section 260-44: Area of Planning Concern Overlay District of the Zoning Ordinance. The APC recommends that the amended planting plan and lighting plan be incorporated into the overall project submission and implemented during the construction of the project.**

**The Technical Review Committee finds that the applicant has successfully addressed the requirements of a Preliminary Plan review stage and the requirements of the Area of Planning Concern overlay district. Barring any unforeseen concerns brought out at the public hearing, the Technical Review Committee recommends Preliminary Plan Approval with Conditions. The recommended conditions of approval are as follows:**

- 1. The applicant incorporated into the overall project submission the amended planting plan and lighting plan as presented and discussed at the Area of Planning Concern meeting.**
- 2. A RIPDES permit from the Rhode Island Department of Environmental Management (RIDEM).**
- 3. A Wetlands approval from the Rhode Island Department of Environmental Management.**
- 4. A Physical Alternation Permit from the Rhode Island Department of Transportation (RIDOT).**

**b. Quality Drive Solar Array AP28 Lot 23 Master Plan Discussion /**

**- RJB Properties, LLC 640 George Washington Highway Approval**

**This application is under the 2005 Subdivision Regulations and represents the development of a vacant parcel of commercial land into a 175 panel, 1.4 MW solar array and associated exterior site improvements. The project requires a special use permit and dimensional variance, and a major land development review.**

**On September 15, 2015, the project received a Certificate of**



**Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness or within such further time as may be consented to by the applicant, approve the master plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the master plan review must be made by January 13, 2016, or within such further time as may be consented to by the applicant.**

**The master plan submission included the following:**

- Quality Drive Solar Array, Quality Drive, Lincoln, Rhode Island, Master Plan Submission, dated September 1, 2015 and prepared by Pare Corporation and revised on October 22, 2015.**
- Master Plan Report for Quality Drive Solar Array, Assessor's Plat 28, Lot 23, Quality Drive, Lincoln, Rhode Island, dated September 2015**
- Letter from Southern Sky – Renewable Energy RI, to the Town of Lincoln Planning Board, dated October 15, 2015.**
- Letter from Southern Sky – Renewable Energy RI, to the Town of Lincoln Technical Review Committee, dated October 15, 2015.**

### **Site Layout**

**The Technical Review Committee reviewed the project submission at the Master Plan review level. The property contains a total of 12.03 acres of undeveloped land. However, the property is divided by a significant wetlands complex. Approximately 5 acres of the southerly portion of the property will be utilized for the proposed development.**

**The property is bounded by a food manufacturing facility on the north, a condominium complex to the east, a warehouse facility to the west, and wooded area to the south. The proposed application is to construct a 175 panel solar array facility that would produce 1.4 MW of electricity.**

## **Zoning**

**The proposed use of this property will require a special use permit under section 260-19Z: Renewable Energy – Utility Scale Facility. The applicant is requesting a dimensional variance for side and front yard setbacks. The Planning Board recommended approval of these two zoning relief requests through the Board's consent agenda during their October meeting.**

## **Utilities**

**The proposed solar farm will not require any public utilities. It is anticipated that proposed development will be connected to an overhead electric wire that runs along Quality Drive and the existing gravel public right-of-way (ROW) at the end of the pavement of Quality Drive leading to the property. The poles that will carry the overhead electric wires will be owned and maintained by the National Grid (a public utility). One privately owned and maintained utility pole will be installed on the property. This pole will be located next to the proposed transformer.**

## **Wetlands/Stormwater Runoff**

**As stated above, this property is vacant and is divided by a significant wetlands complex. The proposed solar farm will require stormwater mitigation to handle the increase in stormwater runoff to the existing wetland complex. At this stage in the review process, the applicant has acknowledged the need to design and install a stormwater management system in accordance with the State of Rhode Island Storm Water Design and Installation Manual prepared by the Rhode Island Department of Environmental Management (RIDEM) dated December 2010 and amended March 2015. Stormwater mitigation will be addressed at the Preliminary Plan stage of review. In addition, a Wetlands Permit from RIDEM is required.**

### **Parking**

**This proposed development will not require any dedicated parking spaces. However, space will be provided for service vehicles.**

### **Traffic**

**The proposed solar farm, after the initial installation phase, will not generate any traffic to or from the property. The facility will undergo regular maintenance visits from one or two technicians. Visits are usually made in a single pick-up truck or SUV.**

**Access to this property is provided by an existing gravel public right-of-way (ROW) at the end of the pavement of Quality Drive. This gravel portion is the technical frontage for AP 28/Lot 112 (Town owned property) and AP 28/Lot 22 (Harvey Building Products) and cannot be abandoned for private use. The Applicant proposes to improve the gravel Town ROW, to a 12' wide gravel road and continue**

to utilize it for access to his property. The Town is amenable to this proposal. However, the Applicant must be clear that the Town will not plow or in any way maintain the existing or improved gravel road. If the Applicant wishes for the Town to be responsible for the maintenance of snow removal of the gravel road, the road would have to be developed to meet Town road standards (30' wide pavement, granite curbing, etc.) unless waivers are requested and granted for specific items.

The Town currently stockpiles snow at the end of the paved portion of Quality Drive. The Applicant needs to address the Town's snow storage. There appears to be a turnaround at the end of the paved portion of Quality Drive, on the western side of the road. The plans do not depict the property line between AP 28/Lot 112 and AP 28/Lot 121 to determine if this is Town owned land to stockpile snow on. Add this property line to the plan for further analysis.

There is an existing gate at the beginning of the undeveloped portion of Quality Drive. A gate cannot block an existing gravel public right-of-way (ROW). This gate must be removed by the applicant. The removal or relocation of the gate will be addressed at the Preliminary Plan review stage.

There is an existing culvert crossing the gravel road. This culvert allows water to flow between the existing wetlands. The Town does not know the condition of this structure. This culvert should be investigated and improved if necessary by the property owner as a condition of approval. The investigation and any proposed improvements, if any, will be reviewed at the Preliminary Plan stage

of review.

### **Site Buffering**

According to §260-23: Business and Manufacturing Districts, all Manufacture Limited (ML) and Manufacture General (MG) uses shall be at least 100 feet from Residential or Commercial Recreation Zoning Districts. The proposed project exceeds this requirement. There is an existing mature vegetated buffer approximately 388 feet between the proposed solar farm and the condominium complex to the east, and approximately 450 feet between the proposed project and the Longmeadow Neighborhood to the south.

Barring any unforeseen concerns brought out at the public hearing, the Technical Review Committee feels that the applicant has successfully addressed the concerns presented by the Technical Review Committee and the Town. The Technical Review Committee recommends Master Plan Approval.

### **Major Subdivision Review**

a. Sables Road Subdivision – Phase 1 AP 44 Lot 33                      Guarantee  
Bond

Leslie W. Sables                      Angell and Whipple Road Review /Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into 17 single-family residential lots. The project is proposed to be constructed in two phases. Phase

one represents the development of 9 single-family residential lots and one new cul-de-sac off of Angell Road. Phase two presents the development of 8 single-family residential lots along East Lantern Road. The applicant has successfully installed the public improvements per the submitted plans. These improvements have been inspected and approved by the Town during a site inspection on October 13, 2015. A guarantee bond needs to be reviewed and established by the Planning Board in order for the final plan to be recorded.

The town engineer reviewed the submitted project and calculated a guarantee bond of \$89,000. This bond covers the bituminous surface course for phase 1, including curb to curb paving of Angell Road, granite bounds, street trees, and fence and gates around the detention basins. The Technical Review Committee reviewed the proposed guarantee bond amount and recommends that the Planning Board approves this amount.

### **Minor Subdivision Review**

a. Roger S. Sherman Trust AP19 Lot 156 Preliminary Plan Discussion /

- Dawn Sherman Woodward Road Approval

This application is under the 2015 Subdivision Regulations and represents the subdivision of one lot into three residential lots. The proposed subdivision does not create a street or extends an existing public street. On November 9, 2015, the project received a Certificate of Completeness. According to our Subdivision Regulations, the

**Planning Board shall, within sixty-five (65) days of certification of completeness or within such further time as may be consented to by the applicant, approve the preliminary plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the preliminary plan review must be made by January 14, 2016, or within such further time as may be consented to by the applicant.**

**The preliminary plan submission included the following:**

- “Preliminary” Lincoln, RI Minor Subdivision – AP19 Lot156, Woodward Road and Old Louisquisset Pike, prepared for Estate of Roger S. Sherman Trust, dated January 24, 2015 and prepared by Marsh & Long Surveying, Inc.**
- Letter from the Narragansett Bay Commission, to Mr. Nathan Shushansky of Marsh & Long Surveying, regarding a 3-Lot subdivision on Woodward Road and Old Louisquisset Pike, Lincoln, RI, dated June 10, 2015.**
- Letter from the Lincoln Water Commission, to Roger S. Sherman Trustee c/o Stephan Long, Marsh & Long Surveying regarding AP19 Lot156 Woodward Road, dated June 4, 2015.**

#### **Site Layout**

**The Technical Review Committee reviewed the project submission at the Preliminary Plan review level. The property contains a total of 2.03 acres of undeveloped land. The property is bounded by Woodward Road to the north and Old Louisquisset Pike to the east. The plans indicate a garage on the property. This garage has been**

**removed. Please remove the garage from the plans.**

### **Zoning**

**The property is located with the RS-20 – Residential Single Family, 20,000 square feet. Record lot #2 setbacks for the rear of the property are not correct. Record lot #2 also exceeds the 2 ½ to 1 lot depth to width ratio. Please revise plans to meet the zoning requirements or seek a zoning variance. If the applicant decides to seek zoning relief, this application would be elevated to a Major Subdivision.**

### **Utilities**

**Public water is located within Woodward Road and is available. Public sewers are located within Old Louisquisset Pike and are owned by the Narragansett Bay Commission. According to a letter dated June 10, 2015 from the Narragansett Bay Commission, their system has sufficient capacity to accommodate the proposed subdivision. However, the applicant is proposing to run a public sewer extension line within a 20 foot easement on private property. There is no indication that the proposed sewer line extension will be privately owned and maintained or that the sewer line extension will be publicly owned and maintained. The Technical Review Committee recommends that the applicant meet with representatives from the Town's sewer department to discuss the proposed sewer line extension.**

### **Wetlands/Stormwater Runoff**



**Stormwater management will be required for the new houses. The design and type of stormwater management system depends on the size and location of each new house as well as the location and size of the driveways. The stormwater management system will be reviewed at the building permit stage of each new house.**

**Based on the project's submission, there are a few concerns that need to be addressed. The Technical Review Committee recommends that the applicant addresses the concerns presented and return next month for further review.**

### **Comprehensive Permit**

**a. Whipple-Cullen Farm AP 29 Lots 150 and 311 Master Plan Discussion /**

**- Old River Road Development, LLC Old River Road Approval**

**This application is under the 2015 Subdivision Regulations and represents the development of a 200 unit, age restricted (55 years of age and over) private condominium development and associated infrastructure. The applicant is seeking approval under the Town's comprehensive permit process as specified in the Code of Ordinances, Chapter 147: HOUSING, Article II Comprehensive Permits for Low and Moderate Income Housing. The proposed development will allocate 25% of the total number of units (50 units) as low to moderate income units. This application is in front of the Planning Board for a Master Plan review stage.**

**On November 9, 2015, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness or within such further time as may be consented to by the applicant, approve the master plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the master plan review must be made by March 9, 2016, or within such further time as may be consented to by the applicant.**

**The master plan submission included the following:**

- Site plan titled; Overall Site Plan, Whipple-Cullen Farm, prepared for Old River Road Development, LLC by Advanced Civil Design, Inc. Scituate, RI. No date was noted on the plan.**
- Master Plan Submission Set, Whipple-Cullen Farm, Old River Road, Lincoln, RI A.P. 29 Lots 150 & 311, prepared for Old River Road Development, LLC by Advanced Civil Design, Inc. Scituate, RI, pages C-1 – C-4, and dated October 30, 2015.**
- An Application for Comprehensive Permit Pursuant to R.I.G.L. 45-53.**

**The application contained the following; Exhibit 1 - Letter of Eligibility, Rhode Island Housing Submission, dated October 8, 2015, Exhibit 2 – Requested Waivers, Exhibit 3 – Sample Deed Restriction, Exhibit 4 – Financial Pro-Forma, Exhibit 5 – Master Plan Submission Per Master Plan Checklist, Existing Site Conditions & Summary Report Narrative, prepared for Old River Road Development, LLC, 145 Phenix Ave., Cranston, RI 02920, prepared by Advanced Civil Design,**

**Inc., 7 Countryside Lane, Scituate, RI 02857, dated October, 2015, Exhibit 6 – Comprehensive Permit Submission Requirements and Checklist, Exhibit 7 – Fiscal Impact Report, and Exhibit 8 – Evidence of Incorporation.**

**• Affordable Housing Need In The Town of Lincoln, Rhode Island, Submitted in Support of: Whipple-Cullen Farm, A Two Hundred Unit Residential Development, Town of Lincoln, RI, prepared for Old River Road Development, LLC, Comprehensive Permit Application – Prepared by: Joseph D. Lombardo, AICP, JDL Enterprises, dated November 2015.**

### **Site Layout**

**This Comprehensive Permit application represents the development of a 200 unit, age restricted (55 years of age and over) private condominium development and associated infrastructure. The subject lots are bound to the north by Old River Road and Cullen Hill Road and to the south by George Washington Highway and Hidden Valley Lane. The total lot size is 79 acres. Currently, the site is undeveloped with vast areas of open fields and woods. The property slopes from Old River Road down to Hidden Valley Lane.**

**The proposed development will be located in the southwestern portion of the property. Two private access roadways are proposed off of Old River Road. A third private access roadway is proposed off of George Washington Highway. The two existing open fields running along Old River Road are proposed to be preserved. The preservation of these fields should be documented in the condominium covenants. The Technical Review Committee would**

like to review the condominium covenants as they relate to the preservation of the field at the preliminary plan review stage.

The proposed development includes 7,200 linear foot of private driveway. The travel lane is proposed to be 24 feet wide with an adjacent four (4) walking lane. Cape Cod curbing is proposed. The proposed development is made up of 80 duplex units, 60 three-unit residences, and 60 four-unit residences.

Based on experiences with past projects, the members of the Technical Review Committee have concerns about the configuration of the drive lanes and the walking lane. The TRC would like to see a detail of the proposed drive lanes and walking lane. The TRC would also like to see a typical detail outlining the size of the proposed driveways for each type of unit configuration.

## **Zoning**

The lots are zoned RS-20 (Residential Single Family – 20,000 sqft) along Old River Road and RA-40 (Residential Agricultural – 40,000 sqft) for the remaining portion of the property. Multi-family buildings are not permitted in these zones. The applicant is seeking approval under the Town's comprehensive permit process as specified in the Code of Ordinances, Chapter 147: HOUSING, Article II Comprehensive Permits for Low and Moderate Income Housing. The proposed development will allocate 25% of the total number of units (50 units) as low to moderate income units. The requested waivers are outlined in the project narrative.

According to State law (R.I.G.L. Chapter 45-53) and the above noted

**Town ordinance, a Comprehensive Permit may be utilized within a host community if that community does not meet the State mandated requirement of a minimum of 10% of a community's housing stock qualifying as affordable housing. Rhode Island Housing administers this regulation. According to quarterly figures produced by RI Housing, the Town of Lincoln has approximately 7% of its housing stock qualifying as affordable.**

**In general, there are two main requirements that an applicant must meet in order to utilize a Comprehensive Permit process. The first requirement is a letter of eligibility from Rhode Island Housing. The sole purpose of a letter of eligibility from RI Housing is to establish that a project, as proposed, meets the eligibility requirements of the housing program under which eligibility has been sought, including any applicable municipal subsidy, such as a density bonus. A letter of eligibility for the proposed project was issued by RI Housing on October 23, 2015.**

**The next requirement of a comprehensive permit is a positive determination by the Planning Board that the project is consistent with the surrounding area. This determination must be made in light of the Town's mandate to meet the State requirement of affordable housing according to (R.I.G.L. Chapter 45-53). The applicant submitted a report analyzing the affordable housing need in Town. Unfortunately, the Technical Review Committee did not have enough time to review the submitted report and discuss if this project is consistent with the surrounding area. The TRC will discuss this matter at its next meeting in December.**

## **Utilities**

**A Narragansett Bay Commission sewer line is located within George Washington Highway and public water is located in Old River Road. The submission does not contain letters of availability for the public utilities. Letters of availability of public sewer from the Narragansett Bay Commission and public water from the Lincoln Water Commission are required as part of this Master Plan submission. Access to these utilities would be reviewed at the preliminary plan review stage.**

## **Wetlands/Stormwater Runoff**

**The submitted concept plan shows many areas throughout the property that can be utilized as part of the proposed stormwater management systems. The concept plans shows that there are significant areas throughout the project where elements of the stormwater management systems can be installed. Any stormwater management system must be designed and installed in accordance with the State of Rhode Island Storm Water Design and Installation Manual prepared by the Rhode Island Department of Environmental Management (RIDEM) dated December 2010 and amended March 2015. Stormwater mitigation will be addressed in depth by the Town Engineer at the Preliminary Plan stage of review.**

## **Parking**

**The submitted concept plan shows many areas throughout the**

project designated as visitor parking space. A total of 88 visitor parking spaces are proposed. The Technical Review Committee feels that the visitors of some units may have to walk a considerable length to get to these parking spaces. The TRC would like the applicant to review the locations of the proposed visitor parking spaces as they relate to the walking distances to the surrounding housing units.

Based on experiences with past projects, the members of the Technical Review Committee have concerns about the availability of exterior parking spaces to the future homeowners. The TRC highly recommends that a minimum of two exterior parking spaces be available for each unit. The TRC would like the applicant to review this concern when they review the visitor parking concern.

## **Traffic**

Two private access roadways are proposed off of Old River Road. A third private access roadway is proposed off of George Washington Highway. The Technical Review Committee has serious concerns about the future traffic that a project of this size would generate. Specifically, the TRC has concerns about the impact of future traffic on the Old River Road and George Washington Highway intersection. The State Department of Transportation and the Town have been analyzing this intersection for a considerable amount of time. Therefore, a traffic analysis would be required at Master Plan stage. The Director of Public Works indicated that the State Department of Transportation is developing a new traffic light configuration for this intersection. The TRC recommends that the applicant researches this

proposed intersection improvement and include it within a traffic analysis. The Technical Review Committee is also concerned with people cutting through the proposed development in order to avoid the Old River Road and George Washington Highway intersection. The TRC would like the applicant to analyze any and all design options to discourage this action and present them for further review.

Based on the concerns presented above, the Technical Review Committee recommends that the applicant addresses these concerns and returns to the committee for further review.

#### **Zoning Applications (\*) – December Zoning Applications**

RJB Properties, Inc., 640 George Washington Highway, Lincoln, RI/Quality Drive LLC, 640 George Washington Highway, Lincoln, RI - Application for Special Use Permit for the installation of a utility scale solar array for property located on Quality Drive, Lincoln, RI.

AP 28, Lot 23 Zoned: ML 05

(Continued from November's meeting)

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application seeking a Special Use Permit for the installation of a utility scale solar array for property located on Quality Drive, Lincoln, RI. The Technical Review



**Committee recommends Approval of this application according to the submitted plans and application. The undeveloped parcel of land is located within an existing industrial park. However, the land has several development constraints that limit its ability to accommodate an industrial use. The proposed utility scale solar array is a good use for this particular parcel of land.**

**According to §260-23: Business and Manufacturing Districts, all Manufacture Limited (ML) and Manufacture General (MG) uses shall be at least 100 feet from Residential or Commercial Recreation Zoning Districts. The proposed project exceeds this requirement. There is an existing mature vegetated buffer approximately 388 feet between the proposed solar farm and the condominium complex to the east, and approximately 450 feet between the proposed project and the Longmeadow Neighborhood to the south.**

**The Technical Review Committee feels that granting a special use permit will not alter the general character of the surrounding area and will not impair the intent and purpose of the zoning ordinance and the Comprehensive Plan.**

**RJB Properties, Inc., 640 George Washington Highway, Lincoln, RI/Quality Drive LLC, 640 George Washington Highway, Lincoln, RI - Application for Dimensional Variance for front and side relief for the installation of a utility scale solar array for property located on Quality Drive, Lincoln, RI.**

**AP 28, Lot 23 Zoned: ML 05**

**(Continued from November's meeting)**

**Members of the Technical Review Committee visited the site and reviewed the submitted plans and application seeking a dimensional variance for front and side relief for the installation of a utility scale solar array for property located on Quality Drive, Lincoln, RI. The Technical Review Committee recommends Approval of this application according to the submitted plans and application. The property contains a total of 12.03 acres of undeveloped land. However, the property is divided by a significant wetlands complex. The property is bounded by a food manufacturing facility on the north, a condominium complex to the east, a warehouse facility to the west, and wooded area to the south. The proposed dimensional variance will enable the solar array to be placed closer to the industrial uses. The Technical Review Committee feels that the applicant presents the least relief needed. The TRC feels that granting the side yard dimensional variance will not impair the intent or purpose of the Zoning Ordinance, nor the Comprehensive Plan.**

**Lidia and Robert Oster, 129 Chapel Street, Lincoln, RI – Application for Dimensional Variance seeking side setback relief to rebuild an existing garage.**

**AP 03, Lot 47 Zoned: RG-7**

**Members of the Technical Review Committee visited the site and reviewed the submitted plans and application for a dimensional**

variance seeking side setback relief to rebuild an existing garage. The Technical Review Committee recommends Approval of this application according to the submitted plans and application. The Technical Review Committee feels that the applicant is rebuilding an existing structure that was damaged due to weather. The application shows that the garage will be rebuilt on the existing foundation. The Technical Review Committee feels that the application represents the least relief needed. The TRC feels that granting the side yard dimensional variance will not impair the intent or purpose of the Zoning Ordinance, nor the Comprehensive Plan.

Carl Benevides, 85 Industrial Circle, 15 Moshassuck Road, Lincoln, RI  
– Application for Special Use Permit to allow a mixture of uses including live/work units for a mill conversion project for property located at 85 Industrial Circle, 15 Moshassuck Road, Lincoln, RI.  
AP 2, Lots 88 and 92 Zoned: MG 0.5

(Continued from November's meeting)

This application is the first project being reviewed under Mill Conversion Overlay District. The Technical Review Committee has been working with the applicant in developing this project. The applicant has made significant strides in providing the Town with the required information. All of the Town's concerns have been addressed. Therefore, the Technical Review Committee recommends Approval with Conditions of this special use permit. The conditions

**of approval are as follows:**

- 1. The applicant must follow the submitted timeline for implementing the proposed site improvements.**
- 2. The applicant must receive an availability of public sewers letter by the Narragansett Bay Commission.**
- 3. The applicant must enter into a mutually acceptable written agreement with the Lincoln Water Commission regarding the future improvements of the public water supply lines.**

**Correspondence/Miscellaneous (\*)**

**a. Staff Reports**

**Respectfully submitted,**

**Albert V. Ranaldi, Jr. AICP**

**Albert V. Ranaldi, Jr. AICP**

**Administrative Officer to the Planning Board**